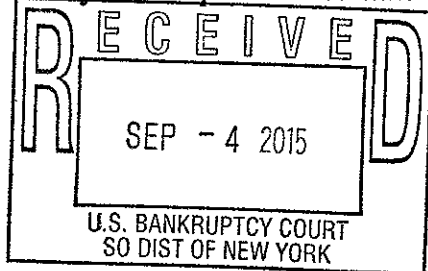


1 Alan Moss  
2 P.O. Box 721  
3 Moss Beach CA 94038  
4 Telephone: (415)494-8314  
5 Facsimile: (650)728-0738

6 *Attorney In Propria Personum*



9 IN THE UNITED STATES BANKRUPTCY COURT  
10 FOR THE SOUTHERN DISTRICT OF NEW YORK  
11 MANHATTAN DIVISION

12 *IN RE:*

13  
14 RESIDENTIAL CAPITAL, LLC, *ET AL.*

15  
16 DEBTORS.)

) BANKRUPTCY CASE No. 12-12020-MG  
) CHAPTER 11

) Jointly Administered  
) (Executive Trustee Services, Case No. 12-  
) 12028)

) **NOTICE OF APPEAL AND STATEMENT**  
) **OF ELECTION FROM AN ORDER OF**  
) **THE U.S. BANKRUPTCY COURT IN AND**  
) **FOR THE SOUTHERN DISTRICT OF**  
) **NEW YORK**

) CLAIM NO. 4445

19  
20 **NOTICE IS HEREBY GIVEN** that claimant ALAN MOSS hereby appeals to the  
21 United States District Court for the Southern District of New York from the Order  
22 entered August 24, 2015 (ECF Doc. #9052) .

23 In conformity with Official Bankruptcy Form 17A and FRBP 8002,  
24 claimant submits the following:

25 ///

1 **PART I.: IDENTIFY THE APPELLANT:**

2 **1. NAME OF APPELLANT:**

3 ALAN I. MOSS

4 P.O. Box 721

5 Moss Beach CA 94038

6 **2. POSITION OF APPELLANT IN THE ADVERSARY PROCEEDING OR**  
7 **BANKRUPTCY CASE THAT IS THE SUBJECT OF THIS APPEAL:**  
8 CLAIMANT.

9  
10 **PART II.: IDENTIFY THE SUBJECT OF THIS APPEAL:**

11 **1. DESCRIBE THE JUDGMENT, ORDER OR DECREE APPEALED FROM:**

12 "MEMORANDUM OPINION AND ORDER SUSTAINING THE  
13 RESCAP BORROWER CLAIMS TRUST'S OBJECTION TO THE  
14 AMENDED CLAIM NO. 4445 FILED BY ALAN MOSS"

15 **2. STATE THE DATE ON WHICH THE JUDGMENT, ORDER OR DECREE WAS**  
16 **ENTERED:**

17 AUGUST 24, 2015.

18  
19 **PART III.: IDENTIFY THE OTHER PARTIES TO THE APPEAL:**

20 **1. PARTY:**

21 ALAN I. MOSS

22 Attorney: *In Propria Personum*

23  
24 **2. PARTY:**

25 RESCAP BORROWER CLAIMS TRUST  
26

1 Attorney: Morrison & Foerster LLP

2 250 West 55<sup>th</sup> Street

3 New York NY 10019

4 By: Norman S. Rosenbaum, Esq.

5 Jordan A. Wishnew, Esq.

6 Jessica J. Arett, Esq.

7  
8 **PART IV. OPTIONAL ELECTION TO HAVE APPEAL HEARD BY DISTRICT COURT:**

9 Appellant elects to have the appeal heard by the United States District Court  
10 rather than by the Bankruptcy Appellate Panel.

11  
12 Respectfully submitted,

13  
14 Dated: **September 3, 2015**

15   
ALAN MOSS

16 *In Propria Personum*  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**PROOF OF SERVICE**

**COURT:** U.S. BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

**CASE NAME:** RESCAP

**ACTION NO.:** BANKRUPTCY NO. 12-12020-MG

I am employed in the County of San Francisco, California. I am over the age of 18 and not a party to the within action. On this date, I served the foregoing document(s) described as:

**NOTICE OF APPEAL AND STATEMENT OF ELECTION FROM AN ORDER OF THE U.S. BANKRUPTCY COURT IN AND FOR THE SOUTHERN DISTRICT OF NEW YORK**

on the party(ies) set out in said document by causing a true copy thereof to be:

☐ By U.S. priority OVERNIGHT mail, by placing said document(s) in a sealed envelope with first class postage thereon fully prepaid, and then deposited in a U.S. Post Office.

☐ By U.S. mail, Return Receipt Requested, by placing said document(s) in a sealed envelope with appropriate postage thereon fully prepaid and then placed in the designated office area for outgoing mail.

☒ Sent via Priority overnight mailing, by handing said document in a sealed envelope to an agent for the USPS or FEDEX for overnight delivery.

and if mailed, addressed as follows and sent to the following address(es):

Clerk's Office(Appeals Section)  
U.S. Bankruptcy Court in and for the  
Southern District of New York  
Alexander Hamilton Custom House  
One Bowling Green  
New York New York 10004-1408

Morrison and Foerster LLP  
ATTN: Norman S. Rosenbaum  
250 West 55<sup>th</sup> Street  
New York New York 10019

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 3rd day of September, 2015, at San Francisco, California.